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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,031	09/27/2001	Francois Pachet	450117-03506	2592

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EXAMINER	
LU, KUEN S	

ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 08/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Supplemental Notice of Allowability	Application No. 09/965,031	Applicant(s) PACHET ET AL.	
	Examiner Kuen S. Lu	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *April 20, 2006*.

2. ☒ The allowed claim(s) is/are *1-2, 4-6 and 9-38 (renumbered to 1-35)*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *8/8/2006* .
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This action is to correct an error of the Examiner's Amendment in the Notice of Allowance, dated June 22, 2006, by including cancellation of claim 3. A corrected version of the Examiner's Amendment is shown below.

Examiner's Amendments

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this Examiner's amendment, listed below, was given in a telephone interview with Mr. Bradley D. Lytle, (Registration Number 40,073) on June 6, 2006. An additional authorization for canceling claim 3 was given in a telephone interview with Mr. Bradley D. Lytle on August 8, 2006. The interview summary of August 8, 2006 is attached.

(Items **3.** through **7.** were left empty)

8.1. At Page 1, please insert the section of CROSS REFERENCE TO RELATED APPLICATION after the end of the TITLE OF THE INVENTION section and before the beginning of the FIELD OF THE INVENTION section as following:

CROSS REFERENCE TO RELATED APPLICATION

The present application claims priority to and contains related subject matter to that disclosed in EUROPEAN PATENT OFFICE (EPO) Application, No. 00 402 692.8, filed on September 29, 2000.

8.2. Please amend claims 1, 3, 19, 21-24, 30-31 and 38 as follow:

Claim 1 (Currently Amended): A method of generating sequencing information representing a sequence of items selected in a database, each of the items comprising a set of descriptors, said method comprising the steps of:

specifying a length of said sequence and at least one of said descriptors;

applying similarity relation techniques between said items of said sequence under construction, in which, for at least one item to appear in the sequence,

wherein said item is chosen from said database on the basis of a similarity relation with a neighboring item of said sequence with which said chosen item shall be associated, so as to create a morphological continuity along said sequence, and

said applying step comprises modeling each of said descriptors in a desired sequence as a constrained variable; and

producing and storing in memory said associated items as at least part of said generated sequence, said sequence thereby having said morphological continuity.

Claim 3 (Canceled).

Claim 19 (Currently Amended): A method of producing a sequence of items out of a database by specifying partial information, said method comprising the steps of:

introducing a global continuity constraint allowing to compute a morphing between items of said sequence;

taking as input partial information about arbitrary items in said sequence to be produced; ~~and~~

applying similarity relation techniques between said items of said sequence under construction, in which, for at least one item to appear in the sequence,

wherein said item is chosen from said database on the basis of a similarity relation with a neighboring item of said sequence with which said chosen item shall be associated, so as to create a morphological continuity along said sequence, and

said applying step comprises modeling each of said descriptors in a desired sequence as a constrained variable; and

producing and storing in memory the associated items as the sequence of items.

Claim 21 (Currently Amended): A method of generating sequencing information representing a sequence of items selected in a database, each of the items comprising a set of descriptors, said method comprising the steps of:

specifying a length of said sequence and at least one of said descriptors;

applying similarity relation techniques between said items of said sequence under construction, in which, for at least one item to appear in the sequence,

said item is chosen from said database on the basis of a similarity relation with a neighboring item of said sequence with which said chosen item shall be associated, so as to create a morphological continuity along said sequence; and

producing and storing in memory said associated items as at least part of said generated sequence, said sequence thereby having said morphological continuity,

wherein said descriptors are expressed in terms of descriptor/value pairs respectively, and each of said values for each descriptor is selected from descriptor/value lists, and

wherein said applying step comprises modeling each of said descriptors in a desired sequence as a constrained variable.

Claim 22 (Currently Amended): An apparatus for generating sequencing information representing a sequence of items selected in a database, each of the items comprising a set of descriptors, said apparatus comprising:

specifying means for specifying a length of said sequence and at least one of said descriptors;

applying means for applying similarity relation techniques between said items of said sequence under construction, in which, for at least one item to appear in the sequence,

said item is chosen from said database on the basis of a similarity relation with a neighboring item of said sequence with which said chosen item shall be associated, so as to create a morphological continuity along said sequence; and

producing and storing means for producing and storing in memory said associated items as at least part of said generated sequence,

said sequence thereby having said morphological continuity, and

wherein said applying means models each of said descriptors in a desired sequence as a constrained variable.

Claim 23 (Currently Amended): A method of generating sequencing information representing a sequence of items selected in a database, each of the items comprising a set of descriptors, said method comprising the steps of:

specifying at least a partial description of at least one said item to appear in said sequence;

applying similarity relation techniques between said items of said sequence under construction, in which, for at least one item to appear in the sequence,

said item is chosen from said database on the basis of a similarity relation with a neighboring item of said sequence with which said chosen item shall be associated, so as to create a morphological continuity along said sequence; and

producing and storing in memory said associated items as at least part of said generated sequence, said sequence thereby having said morphological continuity, and

wherein said applying step comprises modeling each of said descriptors in a desired sequence as a constrained variable.

Claim 24 (Currently Amended): An apparatus for generating sequencing information representing a sequence of items selected in a database, each of the items comprising a set of descriptors, said apparatus comprising:

specifying means for specifying at least a partial description of at least one said item to appear in said sequence;

~~applying means~~ a processor for applying similarity relation techniques between said items of said sequence under construction, in which, for at least one item to appear in the sequence, said item is chosen from said database on the basis of a similarity relation with a neighboring item of said sequence with which said chosen item shall be associated, so as to create a morphological continuity along said sequence; and

producing means for producing said associated items as at least part of said generated sequence,

said sequence thereby having said morphological continuity, and

wherein said processor is configured to model each of said descriptors in a desired sequence as a constrained variable.

Claim 30 (Currently Amended): A method of generating sequencing information representing a sequence of music titles selected in a database, each of the music titles comprising a set of descriptors, said method comprising the steps of:

specifying a length of said sequence and at least one of said descriptors;

applying similarity relation techniques between said music titles of said sequence under construction, in which, for at least one music title to appear in the sequence, said music title is chosen from said database on the basis of a similarity relation with a neighboring music title of said sequence with which said chosen music title shall be associated, so as to create a morphological continuity along said sequence; and

producing and storing in memory said associated music titles as at least part of said generated sequence,

said sequence thereby having said morphological continuity, and

wherein said applying step comprises modeling each of said descriptors in a desired sequence as a constrained variable.

Claim 31 (Currently Amended): An apparatus for generating sequencing information representing a sequence of music titles selected in a database, each of the music titles comprising a set of descriptors, said apparatus comprising:

specifying means for specifying a length of said sequence and at least one of said descriptors;

~~applying means~~ a processor for applying similarity relation techniques between said music titles of said sequence under construction, in which, for at least one music title to appear in the sequence, said music title is chosen from said database on the basis of a similarity relation with a neighboring music title of said sequence with which said chosen music title shall be associated, so as to create a morphological continuity along said sequence; and

producing and storing means for producing and storing in memory said associated music titles as at least part of said generated sequence,

said sequence thereby having said morphological continuity, and

wherein said processor is configured to model each of said descriptors in a desired sequence as a constrained variable.

Claim 38 (Currently Amended): A method of generating sequencing information representing a sequence of items selected in a database, each of the items comprising a set of descriptors, said method comprising the steps of:

specifying a length of said sequence and at least one of said descriptors;

applying similarity relation techniques between said items of said sequence under construction, in which, for at least one item to appear in the sequence,

said item is chosen from said database on the basis of a similarity relation with a neighboring item of said sequence with which said chosen item shall be associated, so as to create a morphological continuity along said sequence, and, on the basis of properties of dissimilarities, so as to create a variation along said sequence; and

producing and storing in memory said associated items as at least part of said generated sequence, said sequence thereby having said morphological continuity, and

wherein said applying step comprises modeling each of said descriptors in a desired sequence as a constrained variable.

Conclusions

10. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

11. Any inquiry concerning this communication or earlier communications from the

Examiner should be directed to Kuen S. Lu whose telephone number is (571) 272-4114. The examiner can normally be reached on Monday-Friday (8:30 am - 5:30 pm). If attempts to reach the examiner by telephone pre unsuccessful, the examiner's Supervisor, John Cottingham, can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact he Electronic Business Center (EBC) at 886-217-9197 (toll-free).

Kuen S. Lu,
Patent Examiner,

August 9, 2006

JOHN COTTINGHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100